ALEXANDER FINANCE C.D. INC.

Plaintiff

:

ARKADY SIROTOVSKY; ET. AL.

Defendants

CIVIL ACTION

v. :

NO. 02-CV-4977

PENN FINANCIAL GROUP, INC. ET. AL.

:

And :

ARKADI NISENZON, ET. AL. : GEORGIY SHUKHATIAN

:

:

v.

:

MICHAEL KOGAN, ET. AL.

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STIPULATED FED. R. CIV. P. 41 ORDER OF DISMISSAL

The parties having met and conferred with the court at a Settlement Conference on October 20, 2004, and having agreed to a global settlement with regard to the herein actions entitled: ALEXANDER FINANCE C.D. INC. v. ARKADY SIROTOVSKY, NATALIA SIROTOVSKY, MYKHAILO FITYAK, LARISSA FITYAK, ADOLF GAVRILOV AND LYUDMILA ANDRIANOVA v. ALEXANDER FINANCE, ANDREW CHAROFF, EUGENE URITSKY, GENE BURD, ALEXANDER HOLDINGS, LL, COMMERCE WAY, INC., MICHAEL KOGAN, KOGAN AND COMPANY, INC. AND PENN FINANCIAL GROUP, INC. (the original and lead case), and ARKADI NISENZON AND LILIA SHUKHATIAN, GEORGIY SHUKHATIAN AND INTERNATIONAL ALTERNATIVE SERVICE GROUP, LTD. v. MICHAEL KOGAN AND NATALIA SIROTOVSK, MYKHAILO FITYAK, LARISSA FITYAK, ADOLF GAVRILOV, AND LYUDMILA ANDRIANOVA (the Intervener

action); and the court being fully advised in the premises;

IT IS HEREBY ORDERED AS FOLLOWS:

- 1. The Temporary Restraining Order & Preliminary Injunction of July 23, 2002, as amended on July 25, 2002 and September 27, 2002, is hereby dissolved.
- 2. The funds which are currently held in escrow with PNC Bank on behalf of Natasha Sirotovsky (account #86-0730-9051; \$85,638.67), Adolf Gavrilov (account #86-0730-9078; \$101,043.57), Mykhailo Fityak (account #86-0730-7398; \$111,913.44), Larissa Fityak (account #86-0730-9043; \$45,550.63), and Lyudmila Andrianova (account #86-0730-9158; \$98,989.54) under the authority and control of escrow agents Dante Mattioni and Paul A. Kettunen, having a total current value of \$443,135.85, shall be distributed to the parties and their attorneys in full and final settlement of all claims herein as follows:
 - \$241,710.47 shall be distributed to Plaintiff-Intervenors, International a. Service Group, Arkadi Nisenzon, Lilia and Georgiy Shukhatian and their attorney Harvey A. Sernovitz, in accordance with their fee agreement.
 - \$100,712.69 shall be distributed to Defendants and Counter-Claim b. Plaintiffs, Arkady Sirotovsky, Natasha Sirotovsky, Lyudmila Andrianova, Mykhailo Fityak, Larissa Fityak, and Adolf Gavrilov and their attorneys, Mattioni, Ltd., in accordance with their fee agreement.
 - \$100,712.69 shall be distributed to Counter-Claim Defendants Eugene c. Uritsky and Andrew Charoff and their attorney Charles Peruto, Esquire, in accordance with their fee agreement.
- 3. All claims and counterclaims in the herein actions, by, against and amongst the parties, are hereby dismissed with prejudice.

IT	IS	SO	ST	IPU	LA	ΓEI):

/s/ PAK 1117	
Dante Mattioni, Esquire	
Paul A. Kettunen, Esquire	

Mattioni, 1	Ltd.
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Attorneys for Defendants and Counter-Claim Plaintiffs Arkady Sirotovsky, Natasha Sirotovsky, Mykhailo Fityak, Larissa Fityak, Adolf Gavrilov and Lyudmila Andrianova

__/s/__ Harvey Sernovitz, Esquire Law Offices of Harvey Sernovitz, P.C. Attorney for Plaintiff Intervenors Arkadi Nisenzon, Lilia and Georgiy Shukhatian, International Service Group _/s/___ A. Charles Peruto, Esquire Attorney for Plaintiff Alexander Finance C.D. Inc. and Counter-Claim Defendant Alexander Finance C.D., Inc., Andrew Charoff, Eugene Uritsky, Alexander Holdings, LLC, Commerce Way, Inc., and Kogan & Company, Inc. and Counter-Claim Defendant and Intervener Defendant Michael Kogan. _/s/_ Gene Burd, Esquire Marks & Sokolov, LLC Counter-Claim/Third Party Defendant _/s/______Steven Pachman, Esquire Montgomery, McCracken, Walker & Rhoads, LLP Attorney for Counter-Claim Defendant Penn Financial Group, Inc.

IT IS SO ORDERED,

J.